



The Salisbury Planning Board held its regular meeting Tuesday, September 22, 2009, in the City Council Chamber of the Salisbury City Hall at 4 p.m. with the following being present and absent:

PRESENT: Karen Alexander, Maggie Blackwell, Robert Cockerl, Richard Huffman, Craig Neuhardt, Valarie Stewart, Albert Stout, and Bill Wagoner

ABSENT: Dr. Mark Beymer, Tommy Hairston and Diane Young

STAFF: Dan Mikkelson, Preston Mitchell, Diana Moghrabi, and David Phillips

This meeting was digitally recorded for *Access 16* television by Jason Parks. Noelle Edwards of the *Salisbury Post* reported.

Chairman Robert Cockerl called the meeting to order and offered an invocation. The minutes of the September 8, 2009, meeting were approved as submitted. The Planning Board adopted the agenda as submitted. Chairman Cockerl explained the Courtesy Hearing procedures.

NEW BUSINESS

District Map Amendment

- Explanation of procedure
- Staff Presentation
- Courtesy Hearing
- Board discussion
- Statement of Consistency
- Recommendation to City Council

LDOZ-2-07-2009 Jennifer Woomer
310 Mocksville Avenue
Tax Map - Parcel: 006-463

Request to amend the Land Development District Map by rezoning approximately 0.19 acres (one parcel) at 310 Mocksville Avenue from RESIDENTIAL MIXED-USE (RMX) to NEIGHBORHOOD MIXED-USE (NMX).

Preston Mitchell made a staff presentation. The written staff report and on-site video provide greater detail.

The majority of the nearby properties, across the street and on the same side of the street, are zoned RMX. NMX is a little more intensive than the RMX and will allow retail up to 3,500 square feet by right with a couple of standards.

Most of Mocksville Avenue is developed. There are a couple of infill vacant lots. Existing residential structures on Mocksville Avenue have been adaptively reused. The building footprint in the NMX must be less than 2,000 square feet. There is adequate parking for retail. No new landscaping is required.

Salisbury Vision 2020 Comprehensive Plan Policy N-7: Appropriately located and pedestrian oriented, designed and scaled stores and services providing basic necessities to residents of the city's older neighborhoods shall be encouraged.

"Appropriately located" as used here, typically means the placement of stores and services at street corners where they can be conveniently accessed from several directions. "Pedestrian oriented, designed, and scaled" means structures that are compatible with the architectural style and scale of surrounding structures, which are pedestrian rather than automobile oriented, and which have operating characteristics compatible with nearby residences (i.e. limited parking or parking in the rear, sidewalks, compatible lighting and signage, attractive landscaping, appropriate buffering, etc.). In doing so, the City will also be instrumental in taking yet one more action consistent with the overall objective of reducing automobile dependency and traffic congestion on area streets.

Salisbury Vision 2020 Comprehensive Plan Policy N-7: Policy N-12: Appropriate commercial and other services may be permitted to locate at the corners of neighborhood planning area. Existing, less intensive development located at the intersection of major streets forming the corner of a neighborhood planning area may be allowed to undergo an orderly transition in this regard.

Salisbury Vision 2020 Comprehensive Plan Policy C-2: The City shall encourage a flexible, yet compatible development environment that supports new business formation and growth in the city's older commercial areas.

Salisbury Vision 2020 Comprehensive Plan Policy C-24: Small scale, pedestrian-oriented shopping and work places shall be encouraged in the design of new neighborhoods.

Staff recommends approval of the request and believes it is consistent with the ***Salisbury Vision 2020 Comprehensive Plan***.

There was no public comment.

Jenny Woome, petitioner, hopes to open a neighborhood yarn shop/fiber arts store at this proposed location. The owner is aware and in agreement with the rezoning.

She needs ample parking, room to grow, and certain architectural pieces to support older clients. The presence of the shop near colleges will attract the trend of young knitters as well

as, the support of older clients—many who will travel to Salisbury from out of town to find a yarn store.

She will be able to walk or ride her bike to work at this location.

Ms. Woomer complimented Salisbury City Staff and Teresa Barringer in particular for their assistance. She is very impressed with Salisbury.

Board Discussion

Maggie Blackwell reads that this property is at the “corner of the residential neighborhood.” This is the appropriate spot for these transitional types of businesses. Many textile art businesses are in reused houses. There is a whole culture to knitting and crocheting. Often customers will stay to knit and chat.

Preston added that the language of the *Salisbury Vision 2020 Comprehensive Plan* is broad enough that these discussions can occur; since it is broad brushed, you can debate it. He believes that the intent of this policy is to recommend commercial development to grow at the intersection of two thoroughfares. However, this area is already heavily office-institution (medical offices and clinics) and now starting to have support services come in behind it. The puzzle pieces are not exact, so it is up to Planning Board and City Council to make the final determination.

Bill Wagoner pointed out that some of the other uses allowed in NMX such as animal services, vehicle maintenance repair services and funeral services may not be as good a fit.

Mr. Wagoner thought that it would be good to take a look at rezoning the corner lot, too, to have a strip of NMX zoning together. That could round out the philosophy of the NMX.

Karen Alexander made a MOTION, “The Planning Board finds and determines that **LDOZ-2-07-2009**, Jennifer Woomer, is consistent with the goals, objectives and policies of the Vision 2020 Comprehensive Plan and hereby recommends approval. Dick Huffman seconded the motion with all members voting AYE. (8-0)

This case will be able to move to City Council October 6, 2009.

OLD BUSINESS

LDOTA 11-2009 Front Porch Provisions

Committee #3 (Bill Wagoner, Ch.; Tommy Hairston, V. Ch.; Craig Neuhardt, Mark Beymer) Planning Board considered the draft language at the September 8, 2009, meeting. Language has since been added to include townhomes and some cleanup of language that will hopefully make it easier to use. As part of the “cleanup” staff discovered a potential conflict with the proposed amendment.

Currently, front porches are required on lots 30-39 feet in width and optional for all other lots. The proposed amendment created conflict with the requirement to construct front porches on the smaller lots. Staff would recommend that, although this is a shift of intent (removing the requirement) front porches should be optional regardless of lot width or house type. Mr. Mitchell referred to the memo Planning Board received in their agenda packet. He does not believe requiring front porches on the smallest of lots is cost effective or fair. It is not a green requirement as a part of LEED certification.

What is important is functionality—that a porch provides enough space to be adequately and comfortably used. They are considered social areas out of the house or areas of congregation.

Karen Alexander agreed that the language was fairer and more appropriate to say “if” a porch is constructed.

Public Comment

David Johnson, 3100 Arabian Lane, recently purchased his house in Salisbury. He spent a year and one-half looking for a home and liked the location of Salisbury. He is a home inspector by trade.

He has concerns that he is being punished for the builders’ actions pertaining to the interpretation of the ordinance. The current ordinance does not promote growth. In one section his porch is shy 16”. Karen said that should not affect the width overall.

Mr. Johnson understands that Salisbury is trying to promote an aesthetically appealing community.

Scott Whittington of 140 Canteberry Drive is a real estate appraiser by trade. Most homes in Rowan County have porches that are six feet wide. Older homes get closer to seven feet. He believes a minimum of six feet is more acceptable.

Board Discussion

Karen Alexander asked where the eight-foot rule came from. Is it a planning rule? Preston answered that the consultant put that in the Land Development Ordinance during the draft phase and later, after some discussion, it was determined.

One of the driving forces behind this requirement is the inadequacy of front porches being constructed in new developments today. Some porches were provided for aesthetics and not functionality.

Karen Alexander said she would like to see more flexibility for the designer to consider these things. (The width, a projection, a room size, etc.) Perhaps a range is a better solution. An arbitrary number has nothing to do with the architecture. Establishing a minimum of six feet would be acceptable. A 5’ x 5’ turnaround is required for accessibility. If you are seated on a porch, a six-foot minimum would allow for a three-foot passageway if you had chairs or furniture on the porch.

Bill Wagoner offered some background about how front porches came through the Land Development Ordinance Committee. He thinks that this committee should consider Ms. Alexander's comments.

Craig Neuhardt would be willing to look at this again at the committee level. He made a MOTION to refer LDOTA-11-2009 back to Planning Board Committee 3 for reconsideration of the 8-foot requirement. Bill Wagoner seconded the motion with all members voting AYE. (8-0)

Salisbury Planning Board Committee 3 plans to meet Wednesday, September 30, at 4 p.m.

LDOTA-07-2009 Infill Provisions for Minimum Residential Lot Width Special Exceptions Committee #2 (Maggie Blackwell, Ch; Richard Huffman, V. Ch; Valarie Stewart; Albert Stout)

Karen Alexander made a MOTION that "The Planning Board finds and determines that **LDOTA-07-2009** is consistent with the goals, objectives, and policies of the Vision 2020 Comprehensive Plan and hereby recommends approval. Maggie Blackwell seconded the motion with all members voting AYE. (8-0)

This will go to City Council October 6, 2009.

OTHER BOARD BUSINESS

The next Planning Board meeting will be October 13, 2009.

There being no further business to come before the Planning Board the meeting was adjourned at 5:30 p.m.

Robert Cockerl, Chair

Diana Moghrabi, Secretary